

NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CUTBERTO CARRENO CASTANEDA,

Petitioner,

V.

RICK THALER, Director
Texas Department of Criminal Justice,
Correctional Institution Division,

Respondent.

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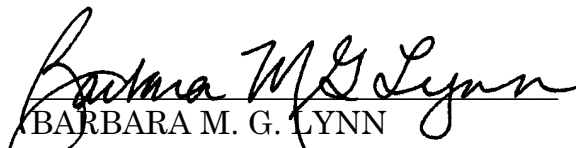
No. 3:13-cv-80-M

ORDER

The United States Magistrate Judge made Findings, Conclusions, and Recommendations in this case. Petitioner filed objections on March 14, 2013, and the District Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to which objection was made. The objections are overruled, and the Court ACCEPTS the Findings, Conclusions and Recommendations of the United States Magistrate Judge. Petitioner may refile his motion after the Court obtains full briefing on limitations, if the Court finds the case not barred by limitations.

Petitioner's motion for certificate of appealability [Dkt. No. 12] and motion to proceed *in forma pauperis* on appeal [Dkt. No. 13] are DENIED as moot. His motion for summary judgment [Dkt. No. 14] is DENIED.

SO ORDERED this 9th day of April, 2013.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS